



# CITY OF DECATUR, TEXAS

Development Services ★ 1601 S. State Street ★ Decatur, TX 76234 ★ (940) 393-0250 voice ★ (940) 626-4629 fax

## AGENDA

### Planning and Zoning Commission and City Council Joint Workshop\*

Monday, January 29, 2018, at 5:00 P.M.

City Hall Council Chamber

201 E. Walnut

Decatur TX 76234

#### Call to Order

**ITEM 1:** HEAR, DISCUSS, AND GIVE STAFF DIRECTION REGARDING AMENDING THE C-1A ZONING DISTRICT REGULATIONS AS IT RELATES TO PERMITTING GROUND FLOOR APARTMENTS, INCLUDING WHETHER TO ALLOW THE USE BY RIGHT OR WITH A SPECIFIC USE PERMIT (SUP)

**ITEM 2:** PROCESS FOR AMENDING THE ZONING REGULATIONS; DISCUSSION OF SAME:

- A. STAFF DRAFT OF AMENDMENT
- B. NEWSPAPER NOTICE PUBLISHED
- C. P&Z PUBLIC HEARING
- D. CITY COUNCIL PUBLIC HEARING AND FIRST READING OF ORDINANCE
- E. CITY COUNCIL SECOND READING AND ADOPTION OF ORDINANCE
- F. SPECIFIC TIMETABLE:
  - 1. P&Z PUBLIC HEARING – APRIL 3, 2018
  - 2. CITY COUNCIL PUBLIC HEARINGS/ORDINANCE READINGS – APRIL 9, 2018 & APRIL 23, 2018

#### Adjournment

Prepared and posted this the 26<sup>th</sup> day of January, 2018, in accordance with Chapter 551, Texas Government Code.

Dedra Denée Ragland, AICP  
Planning and Development Director



## STAFF REPORT

*January 29, 2018– City Council and Planning and Zoning Commission Joint Workshop Meeting*

**TO:** Honorable Mayor and City Council Members **CASE:** SI2018-01  
Planning & Zoning Commissioners

**FROM:** Dedra D. Ragland, AICP, Planning Director

**DATE:** January 29, 2018 **REQUEST:** Amendment to the C-1A Zoning District Regulations as it relates to permitting ground floor apartments

### Case Notes:

City Council and Planning and Zoning Commission to hear and discuss and give staff direction regarding an amendment to the C-1A Zoning District Regulations as it relates to permitting ground floor apartments. The reason for the workshop is a request received from Aaron Cole on behalf of Mark Moran and Orison Holdings for an amendment to the C1-A zoning district to allow multi-family residential as an in-fill use. Specifically, Mr. Moran is requesting that the City Council amend the C-1A Zoning District Regulations to permit apartments either by right or with a Specific Use Permit (SUP). This request would first require an amendment to the zoning ordinance. Staff is seeking direction on the potential amendment.

### Legality:

According to the Texas Local Government Code, the governing body of a municipality has zoning authority. The zoning regulations can be legally amended given proper notice (§211.006(a) and 211.007(c)), public hearings (§211.006 (a)), review and recommendation from the Planning & Zoning Commission (§211.007 (b)) and approval by City Council (§211.007 (b)).

### Analysis:

The C-1A Zoning District currently permits Loft Apartments by right. A Loft Apartment is defined as “an apartment dwelling unit located above a nonresidential use.”

If the P&Z and City Council are in agreement that ground floor apartments are desirable in the Downtown Square area, permitting them with a Specific Use Permit (SUP) in the C-1A Zoning District should be considered in order to allow the Council to determine the compatibility of the use on a case by case basis. The SUP requirement is consistent with Multifamily Uses in a C-2 Zoning District.

The Downtown Square District is a fairly restricted area. The availability of large and/or vacant parcels of land for large scale multifamily development is limited. Small scale infill redevelopment and repurposing of existing buildings for multifamily development has economic benefits to the City and to the Downtown. More housing options become available and infill is one component of a broader array of strategies that make up smart growth. Infill development is valuable not only for the environmental benefits of using land more efficiently and directing growth into existing urbanized areas, but also the benefit that quality projects bring to neighborhoods and communities; however, because of the intensity of the multi-family use, it is

important that infill development providing multi-family options occur in a manner consistent with the Comprehensive Plan and existing surrounding uses.

Multi-family residential is a classification of housing type that includes multiple separate units contained within one building. Infill housing is the insertion of new residential developments, which may include multi-family residential uses into an existing neighborhood.

### **Benefits of Infill Multifamily Development**

- Allows for a mixing of land uses
- Conserves open space
- Provides transportation choices
- Provides housing opportunities
- Fills in the vacant lots that have been deserted for so long
- Revitalizes areas that are eyesores or unsafe
- Builds and sustains successful communities by adding density and amenities
- Increases the attractiveness and property value of surrounding areas and neighborhoods
- Prevents undeveloped land from being unnecessarily developed
- Helps retain historic buildings by filling in between them instead of demolishing them
- Gives a city added character through building designs that creatively fill in awkward spaces
- Adds to socioeconomic diversity
- Supports unique cultural, arts, educational and civic functions, such as museums, opera, sports, and universities

### **Relationship to the Comprehensive Plan**

The Long Range Master Plan provides the goals, objectives, policies, and implementation strategies that guide future development. It also contains data, maps, and lists of community development projects and programs that influence the future character and shape of the community.

The Long Range Master Plan, while in need of updating, does encourage infill development.

### **Barriers to Infill Development**

- Physical barriers: Physical site constraints often limit the feasibility of developing infill sites.
- Social barriers: People have an inherent resistance to change and a natural fear of the unknown. As a result, plans to develop infill sites may encounter vociferous opposition, whether or not it is justified from a land-use perspective. Opposition can center on design compatibility, increased density, different housing types, parking, traffic, or simply the prospect of more or different types of people moving in.
- Regulatory barriers: Regulatory constraints often work against good design, raise roadblocks against innovation, or prevent projects that are otherwise consistent with the character of existing communities.
- Economic barriers: Difficult sites and uncertain outcomes and time frames can reduce developers' economic interest in undertaking infill projects. In addition, land acquisition costs are usually higher for infill sites.

Successful infill development is characterized by overall residential densities high enough to support improved transportation choices as well as a wider variety of convenience services and amenities. It often returns cultural, social, recreational and entertainment opportunities, gathering places, and vitality to older centers and neighborhoods.

**Recommendation:**

Direct staff to prepare an amendment to the C-1A (Downtown Square) Zoning District Regulations. Staff recommends that the statutory timeline and public input/hearing process for amending the Zoning District Regulations occur on the following schedule:

Staff Draft Amendment	February/March 2018
Public Hearings	
P&Z	April 3, 2018
City Council/1 <sup>st</sup> Reading	April 9, 2018
2 <sup>nd</sup> Reading of Ordinance	April 23, 2018

**Attachment:**

1. Request by Aaron Cole, Orison Holdings
2. Maps:
  - a. Downtown Square District Location Map
  - b. Downtown Square District Aerial Map
  - c. Downtown Square District Zoning Map (C-1A Zoning)
  - d. Downtown Square District Land Use Map



# Attachment 1: Request by Aaron Cole/Walnut Street Apartments Proposal



Michael A. Bates, Architect | Mark Martin, Architect

January 15th, 2018

Dedra D. Ragland, AICP  
Director of Planning and Development  
1601 S. State Street  
Building C  
Decatur, TX 76234

RE: Walnut Street Apartments - 302 West Walnut Street

Ms. Ragland,

The developer of the proposed mixed-use building is requesting that the P&Z and City Council consider amending the C-1A Zoning District Regulations to permit **both** ground floor and loft apartments. We understand that staff recommendation would be that ground floor apartments would be permitted with a Specific Use Permit (SUP) if the P&Z and City Council are amenable to amending the C-1A Zoning District Regulations. It is our understanding that this would be consistent with multi-family uses in a C-2 Zoning District. We currently are proposing to include a one bedroom unit at the rear of the building on the first floor.

Some of the benefits this would bring to the Town of Decatur is the ability to develop smaller parcels of property within the C-1A Zoning District, the options for re-development give developers more opportunities to repurpose existing structures in the downtown area, and lastly this would bring economic growth to the downtown area.

Some of the reasons we propose to have an apartment unit on the first floor are as follows. This allows the developer/owner to meet the Fair Housing Act for providing an accessible unit for the facility. If the unit is not placed on the first floor, an elevator will need to be provided to the units on the 2<sup>nd</sup> and 3<sup>rd</sup> floors. The problem of this is in three parts. First, the elevator will take up valuable space in an already small building; second if an elevator is provided in the building, then all the apartment units will be required to be FHA compliant which again requires more floor space to provide the clearances necessary to be compliant. Finally, the third issue is cost. An elevator will add at least \$100,000.00 dollars to the project making the financial feasibility of the project much harder to meet. There is also the long term maintenance costs to add to the project as well.

Along with this request, we are submitting a preliminary set of floor plans, site plan and exterior elevations. These drawings are subject to change due to future meetings and or comments that may arise.

Thank you for your consideration in amending the C-1A Zoning District Regulations to allow both ground floor and loft apartments.

Thank you,



Michael A. Bates, Architect



2ND & 3RD FLOOR PLAN

Scale: 1/16" = 1'-0"



1ST FLOOR PLAN

Scale: 1/16" = 1'-0"



A NEW BUILDING FOR:

WALNUT ST. APARTMENTS

302 W. WALNUT STREET DECATUR, TEXAS

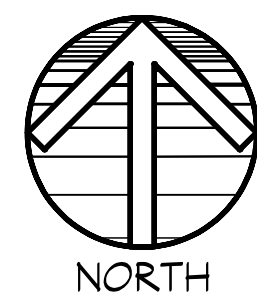
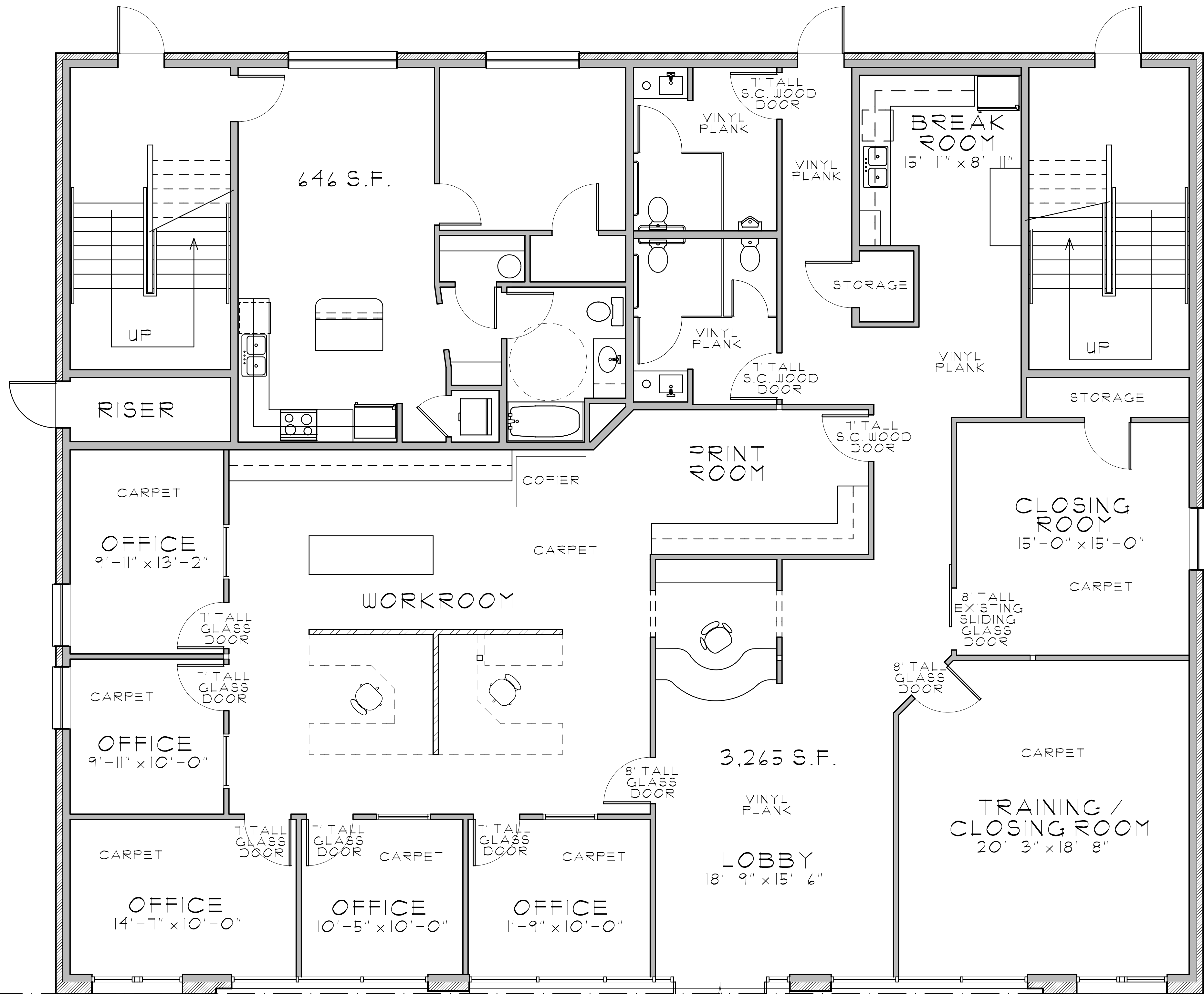
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PROJECT NO: 16-139  
DATE: Jan. 8, 2018  
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SITE / BUILDING  
LAYOUT

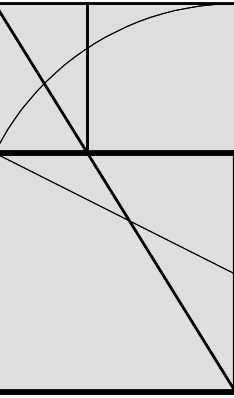
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**BATES** Michael A. Bates  
ARCHITECTS Architect  
**MARTIN** Mark M. Martin  
ARCHITECT Architect  
521 S Loop 288 Suite 165 Denton, TX 76205 940.387.4881  
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**1ST FLOOR PLAN**

Scale: 1/4" = 1'-0"



**BATES**  
ARCHITECTS

**MARTIN**  
ARCHITECT


Michael A. Bates  
Architect

Mark M. Martin  
Architect

940.387.4881

521 S Loop 288 Suite 165 Denton, TX 76205

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A NEW BUILDING FOR:

**WALNUT ST. APARTMENTS**

302 W. WALNUT STREET    DECATUR, TEXAS

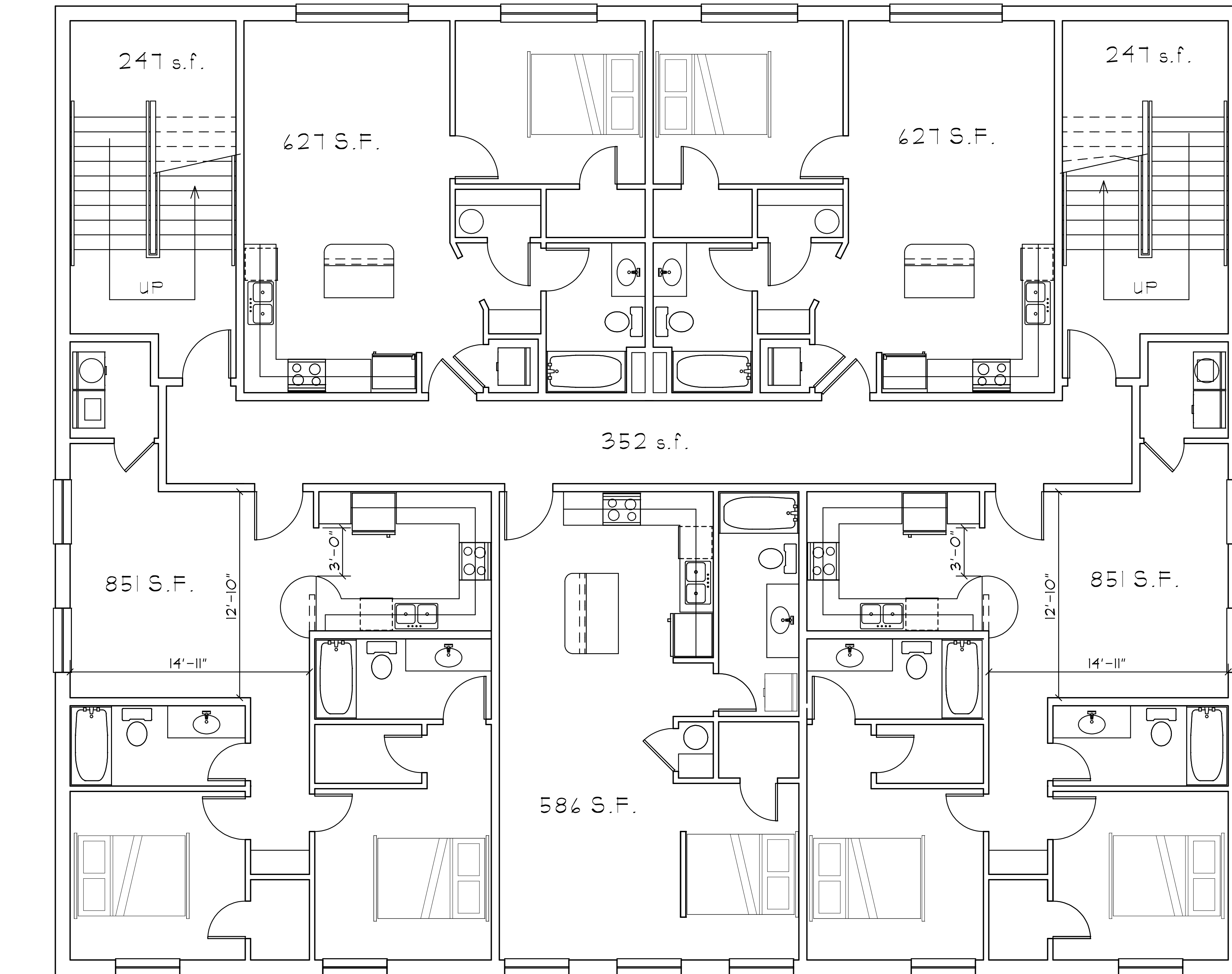
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FIRST FLOOR PLAN

A2.1





## 2ND-3RD FLOOR PLAN

Scale: 1/8" = 1'-0"

**BATES**  
ARCHITECTS  
**MARTIN**  
ARCHITECT

Michael A. Bates  
Architect  
Mark M. Martin  
Architect  
940.387.4881

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**LINKS**  
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BUILDING & DEVELOPING THE FUTURE

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SECOND & THIRD  
FLOOR PLANS

**A2.2**



### SOUTH ELEVATION

Scale: 3/16" = 1'-0"



### WEST ELEVATION

Scale: 3/16" = 1'-0"



A NEW BUILDING FOR:  
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EXTERIOR  
ELEVATIONS  
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**BATES**  
ARCHITECTS  
**MARTIN**  
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**Michael A. Bates**  
Architect  
**Mark M. Martin**  
Architect  
940.387.4881

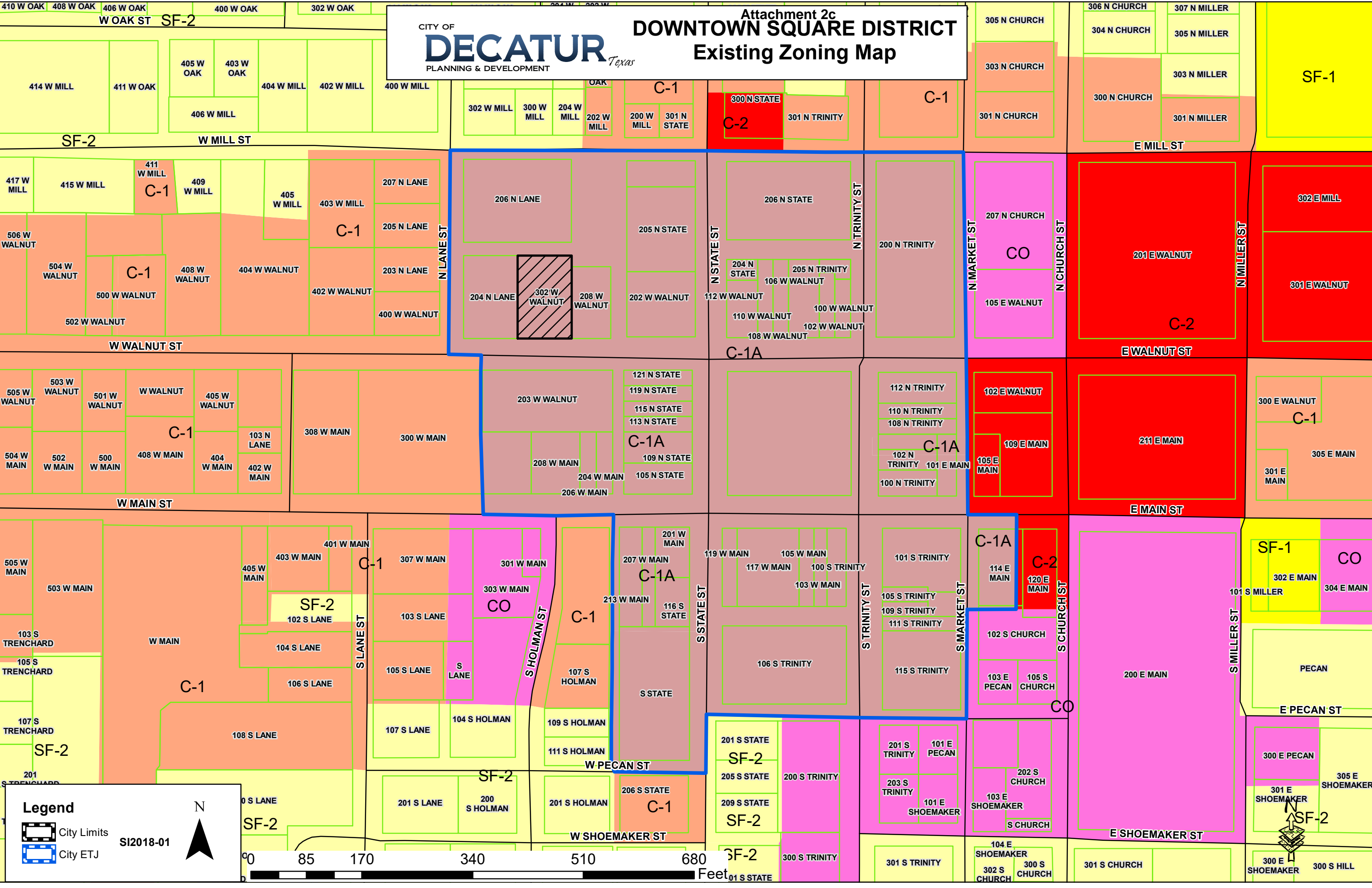




## Attachment 2b

■ Feet





Attachment 2c  
**DOWNTOWN SQUARE DISTRICT**  
Existing Zoning Map

CITY OF  
**DECATUR**  
PLANNING & DEVELOPMENT

**Legend**

City Limits

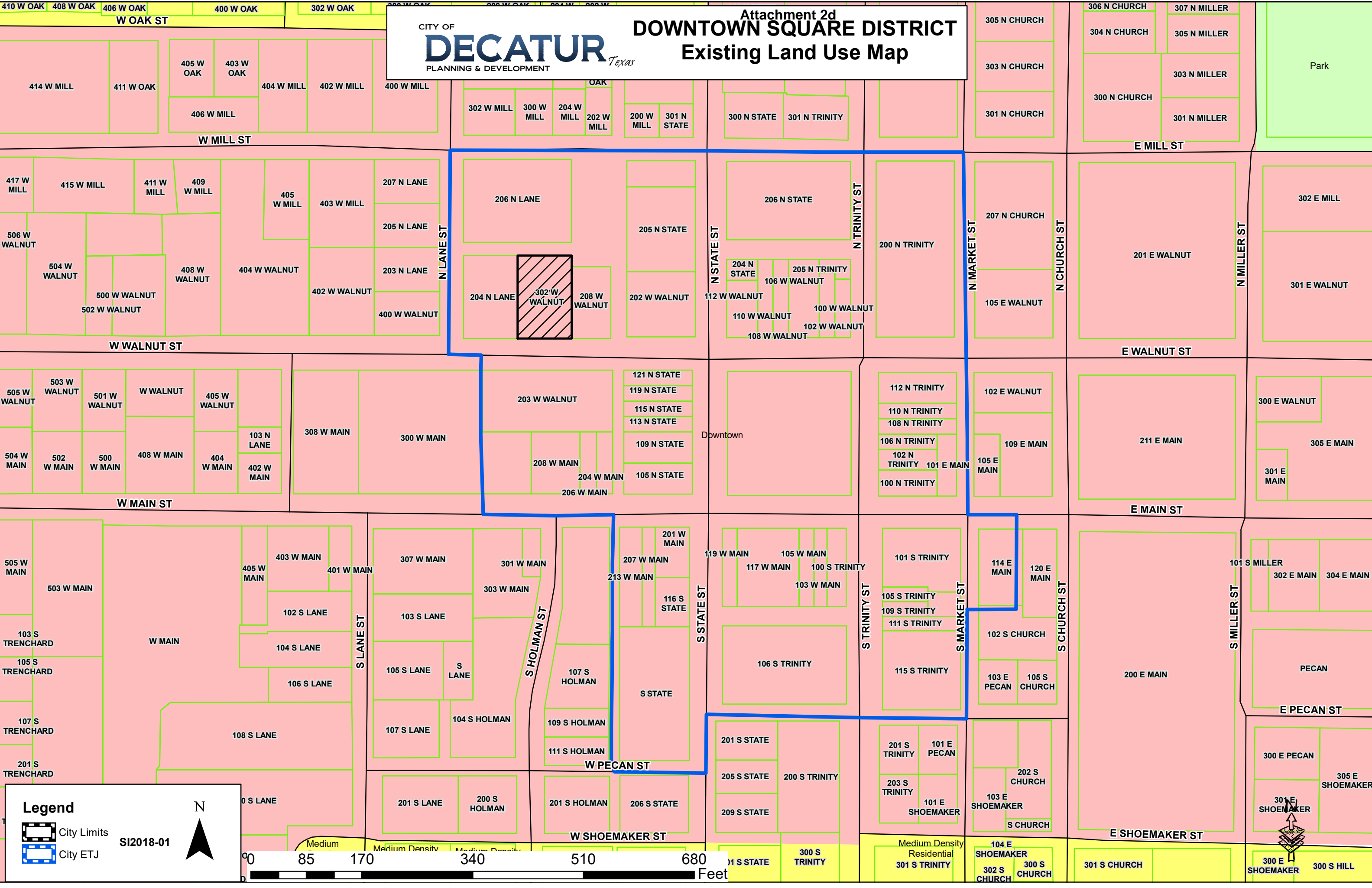
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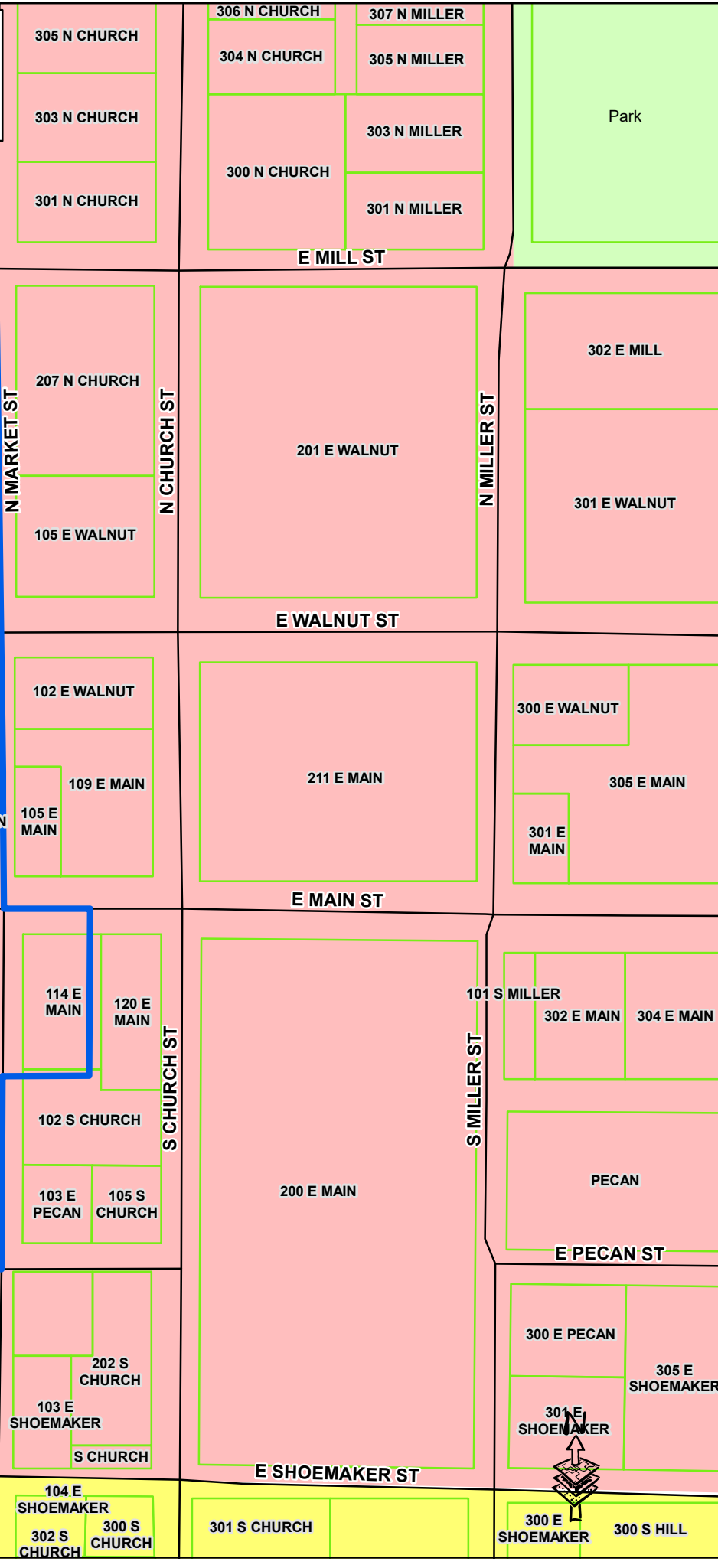
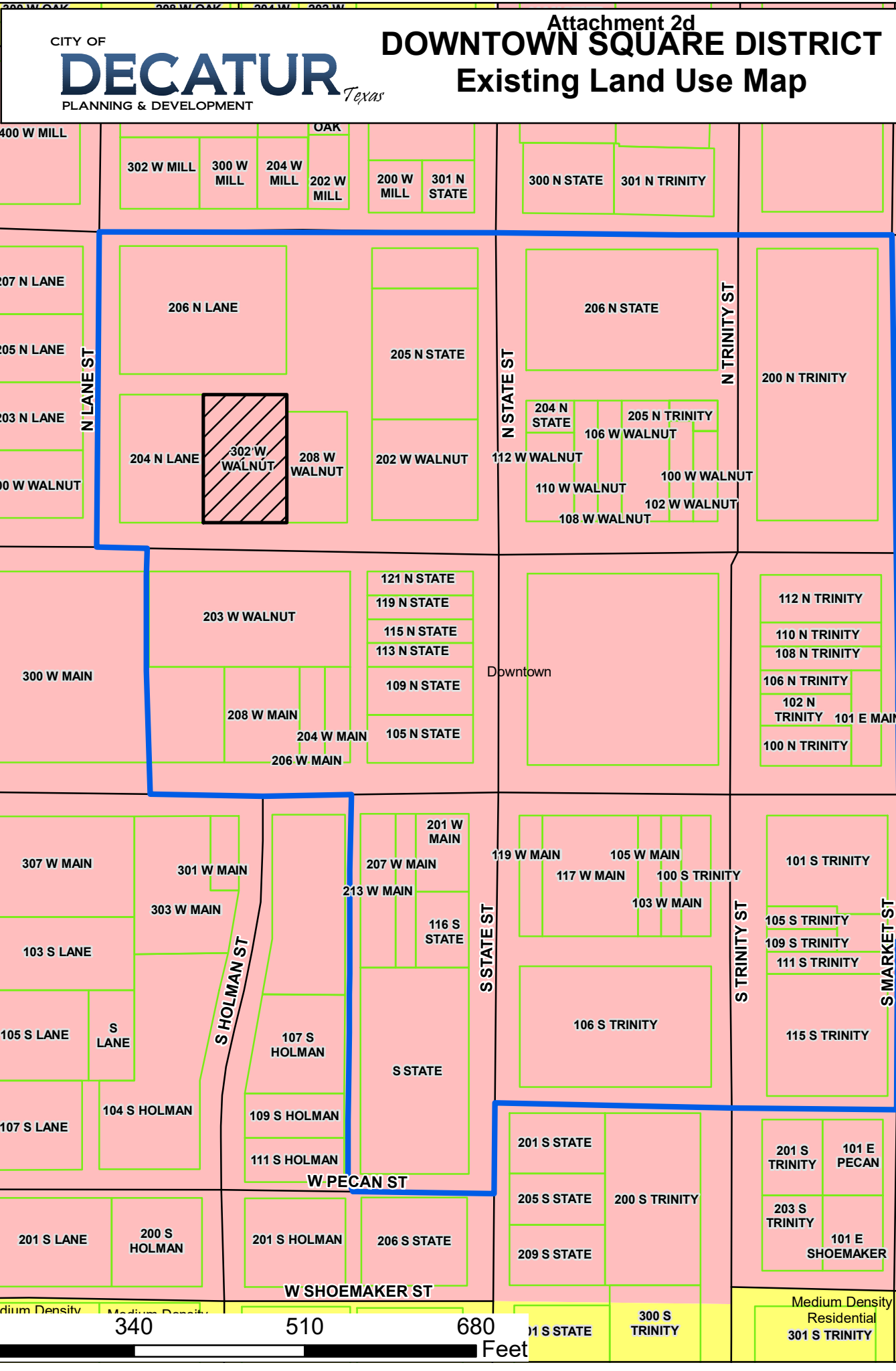
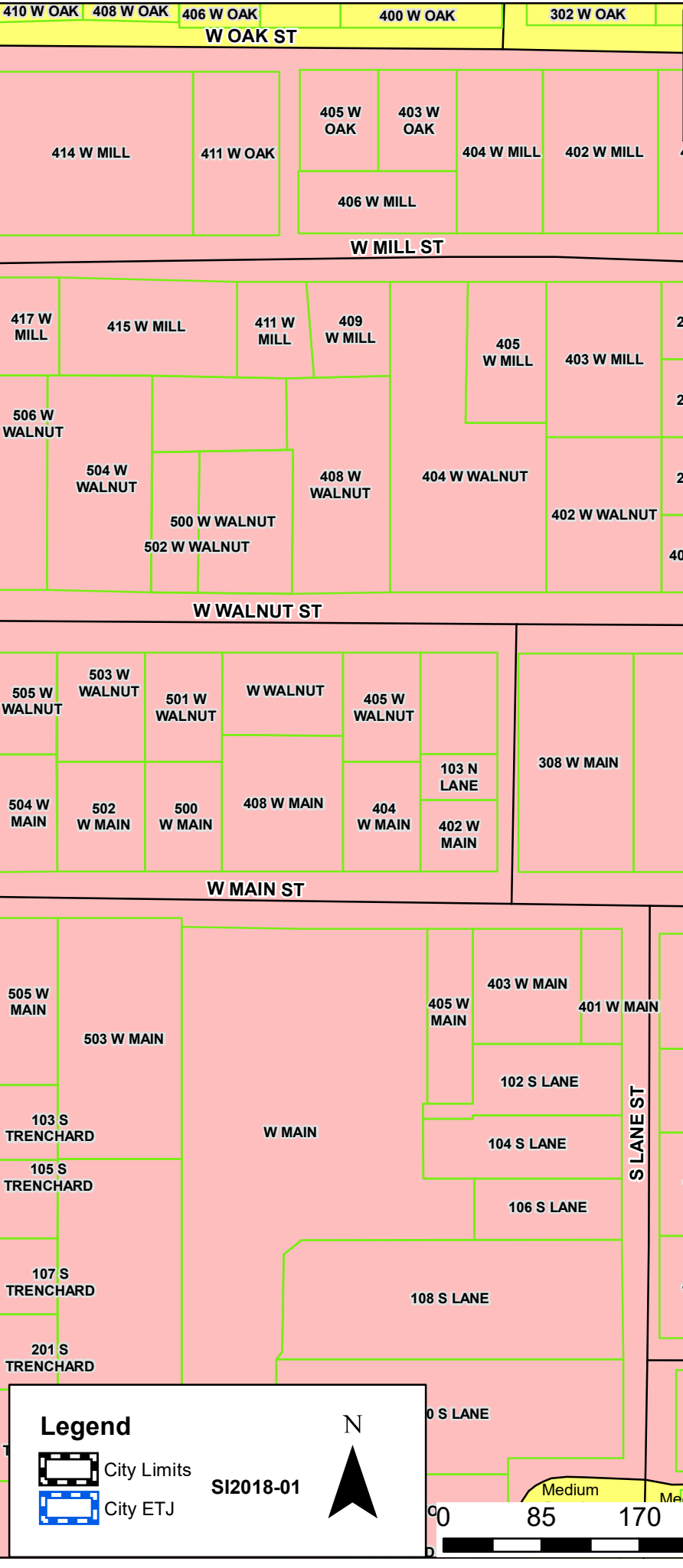
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Attachment 2d  
**DOWNTOWN SQUARE DISTRICT**  
Existing Land Use Map

CITY OF  
**DECATUR**  
PLANNING & DEVELOPMENT



**Legend**

City Limits

City ETJ

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